

**REMARKS**

Claims 1-34 are pending in the application. Claims 1, 6, 8, and 11 have been amended to define more clearly the claimed invention. Claims 19-34 have been added. It is believed and intended that no new matter has been added by this amendment. Reconsideration and allowance of all claims are respectfully requested in view of the following remarks.

**I. Preliminary matters**

The Examiner has not yet indicated acceptance of the drawings filed November 6, 2003. Such indication is respectfully requested.

The Applicants gratefully acknowledge the Examiner's indication of receipt of the Information Disclosure Statements filed February 13, 2004 and March 2, 2006.

**II. Claim rejections under 35 U.S.C. § 112**

The Examiner rejected claim 8 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The dependency of claim 8 was erroneous, but claim 8 has been amended to overcome the rejection. Such amendments are not made in response to the prior art and do not narrow the scope of the claims.

**III. Claim rejections under 35 U.S.C. § 102**

The Examiner rejected claims 1, 9, 12, and 18 under 35 U.S.C. § 102(b) as being anticipated by EP Patent No. 1,164,074, issued December 19, 2001 to Eckhard Scharff (hereafter referenced as "the '074 patent"). The Applicants respectfully traverse this rejection for at least the following reasons.

As amended, claim 1 recites a vacuum sweeper vehicle. A sweeper body includes a frame having attached thereto an axle apparatus. A pair of steerable front wheels are supported by the axle apparatus at a forward end of the sweeper body. The axle apparatus is constructed to provide a space between the front wheels. A pair of rear wheels are supported at a rearward end of the sweeper body. A container is coupled to the sweeper body for receiving debris. A suction hose extends between the container and a vacuum nozzle proximal a forward end of the sweeper body. The suction hose extends through the space between the front wheels. A suction device is provided for drawing the debris from the nozzle into the container. At least one brush is coupled to a forward end of the sweeper body for sweeping debris from a ground surface.

The '074 patent discloses an articulated floor cleaning vehicle having a double pendulum joint assembly. The double pendulum joint assembly comprises a fork housing in which is mounted a vertical first pivot pin connected to the rear platform of the vehicle, and a horizontal second pivot pin extending in the direction of movement and connected to the front platform, so that the fork housing and respective platform can swivel in relation to each, effecting a steering action for the vehicle.

However, it is respectfully submitted that the '074 patent does not teach, show, disclose, or suggest a sweeper body includes a frame having attached thereto an axle apparatus, with a pair of steerable front wheels being supported by the axle apparatus, as presently claimed. In the '074 patent, the front wheels are not steerable, and the axle apparatus is actually the frame itself with respective wheel mounts for the left and right front wheels, as can be seen in at least Fig. 4 of the '074

patent. Moreover, the '074 patent uses two wheel mounts, one on each side of the frame, onto which the respective left and right wheels are placed, instead of the pair of steerable front wheels being supported by an axle apparatus recited in claim 1. For at least these reasons, it is respectfully submitted that the '074 patent does not anticipate claim 1 under 35 U.S.C. § 102(b) and the Examiner's rejection should be withdrawn.

As amended, claim 12 recites a vacuum sweeper vehicle having a sweeper body including a frame, a container coupled to the sweeper body for receiving debris, a suction hose extending between a vacuum nozzle proximal a forward end of the body of the container, a suction device for drawing debris from the nozzle into the container, and at least one brush connected to a forward end of the sweeper for sweeping debris from a ground surface. A pair of rear wheels are supported at a rear end of the sweeper body. A pair of steerable front wheels are provided. An axle apparatus is attached to the frame. The axle apparatus supports the pair of front wheels at a forward end of the sweeper body. The axle apparatus is constructed to provide a space between the front wheels whereby the suction hose extends through the space between the front wheels.

As discussed above regarding claim 1, the '074 patent discloses an articulated floor cleaning vehicle having a double pendulum joint assembly. The double pendulum joint assembly comprises a fork housing in which is mounted a vertical first pivot pin connected to the rear platform of the vehicle, and a horizontal second pivot pin extending in the direction of movement and connected to the front

platform, so that the fork housing and respective platform can swivel in relation to each, effecting a steering action for the vehicle.

It is respectfully submitted that the '074 patent does not teach, show, disclose, or suggest a pair of steerable front wheels, an axle apparatus being attached to the frame, and the axle apparatus supporting the pair of front wheels at a forward end of the sweeper body, as recited in claim 12. In the '074 patent, the front wheels are not steerable, and the axle apparatus is actually the frame itself with respective wheel mounts for the left and right front wheels, as can be seen in at least Fig. 4 of the '074 patent. Moreover, the '074 patent uses two wheel mounts, one on each side of the frame, onto which the respective left and right wheels are placed, instead of the axle apparatus supporting the pair of steerable front wheels recited in claim 12. For at least these reasons, it is respectfully submitted that the '074 patent does not anticipate claim 12 under 35 U.S.C. § 102(b) and the Examiner's rejection should be withdrawn.

Since claims 9 and 18 are each dependent upon one of claims 1 and 12, these claims are patentable at least by virtue of their dependency, as well as for the separate limitations therein, and allowance of claims 1, 9, 12, and 18 is respectfully requested.

#### **IV. Claim rejections under 35 U.S.C. § 103**

The Examiner rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over the '074 patent in view of German Patent No. 296 13 858, issued October 24, 1996 to ISEKI-Maschinen GmbH. Since claims 7 and 8 are dependent upon claim 1, these claims are patentable at least by virtue of their dependency, as

well as for the separate limitations therein, and allowance of claims 7 and 8 is respectfully requested.

**V. Allowable subject matter**

The Applicants gratefully acknowledge the Examiner's indication that claims 2-6, 10, 11, and 13-17 contain allowable subject matter. The Applicants have rewritten these claims in independent form as new claims 19-34.

**VI. Conclusion**

In view of the foregoing, reconsideration and allowance of this application are believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 20-0090. Please also credit any overpayments to this Deposit Account.

Respectfully submitted,



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